



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF INSPECTOR GENERAL**

1301 CONSTITUTION AVE, NW
WASHINGTON, DC 20004

February 19, 2020

MEMORANDUM

SUBJECT: (b) (6), (b) (7)(C)
Case No. OI-CH-2019-ADM-0026

FROM: Helina Wong, Assistant Inspector General
Office of Investigations

TO: (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)

RESTRICTED INFORMATION

The Office of Investigations, EPA Office of Inspector General, conducted an administrative investigation of alleged government purchase card misuse at the (b) (6), (b) (7)(C). Our investigation found (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) were purchase card holders, who were instructed (b) (6), (b) (7)(C) to split purchase costs for the installation of an EV Charging Station. Furthermore, our investigation revealed inconclusive information relating to the (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) involvement.

This information is submitted for your consideration and decision as to whether administrative action is warranted. In considering administrative action, your attention is directed to the U.S. Environmental Protection Agency Conduct and Discipline Manual, EPA Order 3120.1, which prescribes policies for administering disciplinary action within the agency. The manual contains a list of offenses with suggested penalties, although the list of offenses is not intended to be all-inclusive. For offenses not listed, penalties may be imposed consistent with penalties contained in the manual for offenses of comparable gravity.

The information in the Conduct and Discipline Manual is provided to assist you in determining what action, if any, is warranted; however, it does not constitute a "charge" against the subject(s). It is the responsibility of the action official alone to evaluate the information in the report and decide whether action under any part of the Conduct and Discipline Manual is appropriate.

So that we may satisfy our reporting requirement to Congress and the Administrator, please advise this office within 60 days of the action taken or proposed by you in this matter. This report is "For Official Use Only" and its disclosure to unauthorized individuals is prohibited. The report may be used by appropriate officials for administrative action.

A copy of this transmittal letter and the report are also being sent to Wendy Blake, Associate General Counsel, Office of General Counsel. It is recommended that you confer with the Office of General Counsel to ensure that any penalty imposed is appropriate and equitable. It is also recommended that you contact the Office of Human Resources for any necessary guidance about personnel regulations.

Should you have any questions regarding the investigative report, please contact Special Agent [REDACTED] at (b) (6), (b) (7)(C).



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF THE INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS
77 W. JACKSON BLVD.
CHICAGO, IL 60604

REPORT OF INVESTIGATION CONCERNING

(b) (6), (b) (7)(C)

OI-CH-2019-ADM-0026

TABLE OF CONTENTS

Narrative	Section A
Entities and Individuals	Section B
Prosecutive Status	Section C
Exhibits	

Distribution:

Submitted by:

(b) (6), (b) (7)(C), (b) (6), (b) (7)(C)

Special Agent
Office of Investigations

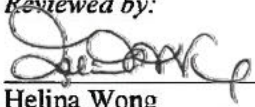
With Exhibits

(b) (6), (b) (7)(C)

Wendy Blake
U.S. Environmental Protection Agency
Associate General Counsel
Office of General Counsel

Assistant Special Agent in Charge
Chicago Field Office
Office of Investigations

Reviewed by:

 2/19/2020
Helina Wong
Assistant Inspector General
Office of Investigations

Contents of this report and / or its exhibits may contain personally identifiable information (PII), to include sensitive PII (SPII) protected by the Privacy Act and is subject to the EPA Policy on PII and SPII. As such, please follow the agency's policy on PII and SPII, to include ensuring that this report and exhibits are properly safeguarded.

OFFICE OF INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS

CASE NO.: OI-CH-2019-ADM-0026 **DATE OPENED:** November 27, 2018

CASE TITLE: (b) (6), (b) (7)(C) **CASE AGENT:** (b) (6), (b) (7)(C)

CASE CATEGORY: Employee Integrity **OFFICE:** Chicago

JOINT AGENCIES: None **JURISDICTION:** (b) (6), (b) (7)(C)

SECTION A – NARRATIVE

Introduction

On September 30, 2018, the U.S. Environmental Protection Agency (EPA), Office of Inspector General (OIG), Office of Investigations (OI), Chicago Field Office (CFO), (b) (6), (b) (7)(C), (b) (3) alleging government purchase card misuse (b) (6), (b) (7)(C), (b) (3)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C), (b) (3)

provided information stating that

(b) (6), (b) (7)(C), (b) (3)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

were purchase card holders, who

were instructed by (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C), (b) (3)

(b) (6), (b) (7)(C)

o split purchase costs for the installation

of an EV Charging Station.

This case was opened to investigate the source used to fund the installation of the EV Charging Station, determine if split purchases were made to fund the installation of the EV Charging Station (b) (6), (b) (7)(C) and investigate whether any employee misconduct involving the purchase cards occurred. (Exhibit 1)

Possible Administrative Violations

EPA Acquisition Guide (EPAAG) 13.3.1.14, *Purchase Guidelines*

EPA Order 3120.1, Appendix- Table of Offenses and Penalties:

(46)(a) Violation of applicable Federal (e.g. OMB, Treasury, GSA, EPA) resources management laws, rules, or regulations by an individual occupying a position where knowledge of such resources management laws, rules, or regulations is required by the position;

(46)(b) Advising or ordering a subordinate to violate applicable Federal (e.g., OMB, Treasury, GSA, EPA) resources management laws, rules, or regulations.

Synopsis

Purchase card holders (b) (6), (b) (7)(C) have a single purchase limit of \$3,500. Per the Environmental Protection Agency Acquisition Guide (EPAAG) 13.3.1.14(b), purchase card holders “shall not split requirements to circumvent single purchase limits or to avoid any required approvals. It is improper for organizations and cardholders to take large requirements that are clearly known in advance and break them into smaller requirements to be acquired over time through a series of purchase card orders either by a single card holder (CH) or a number of CHs.” The facts obtained from interviews and a review of emails and documents during this investigation support the allegations that (b) (6), (b) (7)(C) directed (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) to split up requirements for the installation of an EV Charging Station into smaller purchase card charges that could be obtained through government purchase cards. The allegation that (b) (6), (b) (7)(C) directed that these purchases be split was not supported.

(b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (Exhibit 2)

Details

Investigation Disclosed Allegations Supported

Allegation #1: In order to get the Electronic Vehicle (EV) Charging Station installed, (b) (6), (b) (7)(C) directed and authorized split charges using government purchase cards.

Allegation #1 Findings: Supported. (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) directed and authorized them to break the requirements for the installation of the EV Charging Station into smaller segments so that the items could be purchased using government purchase cards.

Allegation #1 Investigative Results (b) (6), (b) (7)(C) (b) (6), (b) (7)(C), (b) (5) (b) (6), (b) (7)(C)

received the quotes and bids from contractors to do the install, which included electrical, concrete, trenching, and landscaping maintenance. (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (b) (6), (b) (7)(C), and requested a contract be used to do the install. (b) (6), (b) (7)(C), (b) (5)

(b) (6), (b) (7)(C), (b) (5)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

Exhibit 3)

According to (b) (6), (b) (7)(C), (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (b) (6), (b) (7)(C), (b) (5) (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (b) (6), (b) (7)(C), (b) (5)

(b) (6), (b) (7)(C), (b) (5)

_____ would approve the use of the card for the installation of the EV Charging Station. Continuing, _____ explained some of the individual line items that were purchased and explained that several of the purchases were at the \$3,500 purchase card threshold. _____ also stated that _____ directed purchases to be made on certain days to avoid issues with audits of the purchase card system. (Exhibit 3-4)

(b) (6), (b) (7)(C)

_____ o pay the card limit of \$3,500 for concrete and another \$3,500 for ground maintenance to repair the grass where trench work was done to run the electrical conduit in June 2017. (b) (6), (b) (7)(C) records indicate (b) (6), (b) (7)(C) paid \$2,760 for sod and landscaping maintenance. _____ stated to _____ the installation required different tasks be completed, therefore the purchases were okay if they were equal to or less than the purchase card threshold. (Exhibits 5-7)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) (b) (5) Exhibit 8)

(b) (6), (b) (7)(C)

_____ stated that in _____ opinion _____ Looking at the documents which showed the charges for the concrete work, _____ said that it does appear that the concrete work was one job that appeared to be split to meet the \$3,500 purchase card maximum but denied knowing if it was in fact one or two jobs. Continuing, _____ provided historic email messages to the OIG. (Exhibit 9-10)

Allegation #2: (b) (6), (b) (7)(C) (b) (6)(b) (6), (b) (7)(C) used (b) (6), (b) (7)(C) government purchase card to make split purchases related to the installation of the EV Charging Station.

Allegation #2 Findings: Supported. All (b) (6), (b) (7)(C) individuals admitted to splitting up the requirements for the installation of the EV Charging Station into smaller segments in order to (b) (6), (b) (7)(C) to make the payments; however, all (b) (6), (b) (7)(C) individuals asserted that they were directed to (b) (6), (b) (7)(C)

Allegation #2 Investigative Results: (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) stated (b) (6), (b) (7)(C) government issued purchase card to pay for trenching on June 6, 2017 and paid for additional unforeseen electrical expenses to aid in the start-up required to boot the software which runs the EV Charging Station. (b) (6), (b) (7)(C) stated (b) (6), (b) (7)(C) made purchases in the past for \$3,500 and it was not unusual for expenses related to construction services, which can get expensive (b) (6), (b) (7)(C), (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) (b) (6), (b) (7)(C), (b) (7)(C), (b) (6), (b) (7)(C)
 (b) (6), (b) (7)(C), (b) (5)
 (Exhibit 8,
 11)

(b) (6), (b) (7)(C) stated the budget for the installation of the EV Charging Station was originally \$25,000. (b) (6), (b) (7)(C) quotes and bids from contractors to do the install, which included electrical, concrete, trenching, and landscaping maintenance. (b) (6), (b) (7)(C) submitted those to (b) (6), (b) (7)(C), and requested a contract be used to do the install (b) (6), (b) (7)(C), (b) (5)

(b) (6), (b) (7)(C)
 (b) (6), (b) (7)(C)
 (Exhibit 3)

(b) (6), (b) (7)(C), (b) (5) wanted to use the government purchase card to pay for the contractors to do the install (b) (6), (b) (7)(C), (b) (7)(C), (b) (5), (b) (7)(E)
 (b) (6), (b) (7)(C)
 (b) (6), (b) (7)(C) and said (b) (6), (b) (7)(C) would approve the use of the card for the installation of the EV Charging Station. (b) (6), (b) (7)(C) also stated that (b) (6), (b) (7)(C) directed purchases to be made on certain days to avoid issues with audits of the purchase card system. (Exhibit 3)

(b) (6), (b) (7)(C) (b) (6), (b) (7)(C) However,
 (b) (6), (b) (7)(C) said that it was used to help expedite the installation process and to meet deadlines set by management. (b) (6), (b) (7)(C) paying the card limit of \$3,500 to pay for concrete and another \$3,500 for ground maintenance to repair the grass where trench work was done to run the electrical conduit in June 2017. Furthermore, (b) (6), (b) (7)(C) had documentation to show where the original bill for the concrete work was going to be \$10,500, which (b) (6) could not pay due to it being over the purchase card limit. Subsequently, (b) (6) received a bill for \$3,500, which is the payment card maximum. (b) (6), (b) (7)(C) made the payment for the concrete. (b) (6), (b) (7)(C), (b) (7)(E), (b) (5)
 (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (b) (7)(C)
 (b) (6), (b) (7)(C) this order from (b) (6), (b) (7)(C) did not seem correct based on the purchase card rules and regulations (b) (6), (b) (7)(C), (b) (5) (b) (6), (b) (7)(C)
 (Exhibit 5-7)

Investigation Disclosed Allegations Inconclusive

(b) (6), (b) (7)(C) denied that there was any push to complete this project or that there was additional emphasis for this specific project. (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (Exhibit 12)

(b) (6), (b) (7)(C) (b) (7)(C), (b) (5) (b) (6), (b) (7)(C) (b) (7)(C), (b) (5), (b) (7)(C) (b) (6), (b) (7)(C) (b) (7)(C), (b) (7)(C) (b) (6), (b) (7)(C) (Exhibit 12)

Disposition

This Report of Investigation is being issued to the (b) (6), (b) (7)(C) for review and any administrative actions deemed appropriate.

SECTION B – ENTITIES AND INDIVIDUALS

Name of Person: (b) (6), (b) (7)(C)
 Title & Company: (b) (6), (b) (7)(C)
 Role: Subject / Supervisor
 Business Address: (b) (6), (b) (7)(C)
 Business Phone: (b) (6), (b) (7)(C)
 EPA Employee: (b) (6), (b) (7)(C)

Name of Person: (b) (6), (b) (7)(C)
 Title & Company: (b) (6), (b) (7)(C)
 Role: Subject
 Business Address: (b) (6), (b) (7)(C)
 Business Phone: (b) (6), (b) (7)(C)
 EPA Employee: (b) (6), (b) (7)(C)

Name of Person: (b) (6), (b) (7)(C)
 Title & Company: (b) (6), (b) (7)(C)
 Role: Subject
 Business Address: (b) (6), (b) (7)(C)
 Business Phone: (b) (6), (b) (7)(C)
 EPA Employee: Yes

Name of Person: (b) (6), (b) (7)(C)
 Title & Company: (b) (6), (b) (7)(C)
 Role: Subject
 Business Address: (b) (6), (b) (7)(C)
 Business Phone: (b) (6), (b) (7)(C)
 EPA Employee: Yes

Name of Person: (b) (6), (b) (7)(C)
 Title & Company: (b) (6), (b) (7)(C)
 Role: Subject
 Business Address: (b) (6), (b) (7)(C)
 Business Phone: (b) (6), (b) (7)(C)
 EPA Employee: Yes

SECTION C – PROSECUTIVE STATUS

This was an administrative investigation. As such, it was not referred for criminal prosecution.

EXHIBITS

DESCRIPTION	EXHIBITS
Case Initiation [redacted]	1
(b) (6), (b) (7)(C)(7)(C)	2
(b) (6), (b) (7)(C)(7)(C), (b) (7)(E)	3
(b) (6), (b) (7)(C) EV Charging Station Miscellaneous Purchases	4
(b) (6), (b) (7)(C) Split Concrete Purchase	5
(b) (6), (b) (7)(C) Purchase for Landscaping/ Sod Repair	6
(b) (6), (b) (7)(C)(7)(C), (b) (7)(E)	7
(b) (6), (b) (7)(C)(7)(C), (b) (7)(E)	8
(b) (6), (b) (7)(C) provided E-Mails	9
(b) (6), (b) (7)(C)(7)(C), (b) (7)(E)	10
(b) (6), (b) (7)(C) Purchase of Electrical Supplies	11
(b) (6), (b) (7)(C)(7)(C), (b) (7)(E)	12



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS**

77 W. JACKSON BOULEVARD
CHICAGO, IL 60604

DATE: August 3, 2020

PREPARED BY: (b) (6), (b) (7)(C), (b) (7)(F)

CASE #: OI-CH-2019-ADM-0026

CROSS REFERENCE #: COMP-2019-0058

TITLE: (b) (6), (b) (7)(C)

CASE CLOSING REPORT

Subject(s)	Location	Other Data
(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)

VIOLATION(S):

Environmental Protection Agency Acquisition Guide (EPAAG) 13.3.1.14(b), purchase card holders “shall not split requirements to circumvent single purchase limits or to avoid any required approvals. It is improper for organizations and cardholders to take large requirements that are clearly known in advance and break them into smaller requirements to be acquired over time through a series of purchase card orders either by a single card holder (CH) or a number of CHs.”

ALLEGATION: On October 17, 2018, Special Agent (SA) (b) (6), (b) (7)(C), (b) (7)(F) U.S. Environmental Protection Agency (EPA), Office of Inspector General (OIG), Office of Investigations (OI), Chicago Field Office (CFO), received an electronic mail message (e-mail) from (b) (6), (b) (7)(C), (b) (3)

alleging government purchase card fraud or abuse/ misuse (b) (6), (b) (7)(C)

email provides information stating that (b) (6), (b) (7)(C), (b) (3)

split purchase costs for the installation of an EV Charging Station.

FINDINGS: (b) (6), (b) (7)(C) stated the budget for the installation of the EV Charging Station was originally \$25,000. As required, (b) (6), (b) (7)(C) received the quotes and bids from contractors to do the install, which included electrical, concrete, trenching,

CASE #: OI-CH-2019-ADM-0026

PREPARED BY: SA (b) (6), (b) (7)(C), (b) (7)(F)

RESTRICTED INFORMATION

Page 1

This report is the property of the Office of Investigations and is loaned to your agency: it and its contents may not be reproduced without written permission. The report is FOR OFFICIAL USE ONLY and its disclosure to unauthorized persons is prohibited. Public availability to be determined under 5 U.S.C. 552.

and landscaping maintenance. (b) (6), (b) (7)(C) requested a contract be used to do the install. (b) (6), (b) (7)(C), (b) (7)(E), (b) (5)

(b) (6), (b) (7)(C) had decided (b) (6), (b) (7)(C) did not want to use the in-house contractor to expedite the install but wanted to use the government purchase card to pay for the install. (b) (6), (b) (7)(C), (b) (7)(E)

(b) (6), (b) (7)(C) would approve the use of the card for the installation of the EV Charging Station. (b) (6), (b) (7)(C) some of the individual line items that were purchased and explained that several of the purchases were at the \$3,500 purchase card threshold (b) (6), (b) (7)(C) directed purchases to be made on certain days to avoid issues with audits of the purchase card system.

(b) (6), (b) (7)(C), (b) (7)(E) to pay the card limit of \$3,500 for concrete and another \$3,500 for ground maintenance to repair the grass where trench work was done to run the electrical conduit in June 2017. (b) (6), (b) (7)(C) records indicate (b) (6), (b) (7)(C) paid \$2,760 for sod and landscaping maintenance. (b) (6), (b) (7)(C) installation required different tasks be completed, therefore the purchases were okay if they were equal to or less than the purchase card threshold.

(b) (6), (b) (7)(C), (b) (5), (b) (7)(E)

(b) (6), (b) (7)(C), (b) (5), (b) (7)(E)

Looking at the documents which showed the charges for the concrete work, (b) (6), (b) (7)(C) said that it does appear that the concrete work was one job that appeared to be split to meet the

CASE #: OI-CH-2019-ADM-0026

PREPARED BY: (b) (6), (b) (7)(C), (b) (7)(F)

RESTRICTED INFORMATION

Page 2

This report is the property of the Office of Investigations and is loaned to your agency: it and its contents may not be reproduced without written permission. The report is FOR OFFICIAL USE ONLY and its disclosure to unauthorized persons is prohibited. Public availability to be determined under 5 U.S.C. 552.

\$3,500 purchase card maximum but denied knowing if it was in fact one or two jobs. Continuing, (b) (6), (b) (7)(C) provided historic email messages to the OIG.

DISPOSITION: On February 28, 2020, the EPA-OIG issued a Report of Investigation (ROI) to (b) (6), (b) (7)(C)

As a result of this ROI, the EPA-OIG was notified that the EPA management had taken the following corrective actions:

(b) (6), (b) (7)(C)

This case was not presented for criminal or civil prosecution. This case is closed.

CASE #: OI-CH-2019-ADM-0026

PREPARED BY: (b) (6), (b) (7)(C), (b) (7)(F)

RESTRICTED INFORMATION

Page 3

This report is the property of the Office of Investigations and is loaned to your agency: it and its contents may not be reproduced without written permission. The report is FOR OFFICIAL USE ONLY and its disclosure to unauthorized persons is prohibited. Public availability to be determined under 5 U.S.C. 552.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF INSPECTOR GENERAL

DATE: SEPTEMBER 22, 2020

PREPARED BY: SA (b) (6), (b) (7)(C)

CASE #: OI-HQ-2019-ADM-0088

CROSS REFERENCE #:

TITLE: (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

CASE CLOSING REPORT

Subject(s)	Location	Other Data
(b) (6), (b) (7)(C) (b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	N/A

VIOLATIONS/ALEGATIONS:

1. Willfully using or authorizing the use of a government passenger motor vehicle or aircraft for other than official purposes. [31 U.S.C. 1344]
2. Using Government property or Government employees in duty status for other than official purposes
3. Misuse of an Official Government Vehicle, transporting a family member in an OGV

FINDINGS:

(b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

contacted (b) (6), (b) (7)(C) Special Agent in Charge (SAC), Office of Professional Responsibility (OPR), Office of Investigations (OI), Office of Inspector General (OIG), EPA and alleged (b) (6), (b) (7)(C) may have:

1. On or about 2006, permitted (b) (6), (b) (7)(C) to keep an off the record compensatory time leave bank for (b) (6), (b) (7)(C) and permitted (b) (6), (b) (7)(C) to consistently report in PeoplePlus (b) (6), (b) (7)(C) was working regular hours when, in fact, (b) (6), (b) (7)(C) was taking leave computed from the off the record comp time schedule.

FINDING:

(b) (6), (b) (7)(C) (b) (7)(C) (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C), (b) (5)

RESTRICTED INFORMATION

This investigation found the allegation was not supported.

DISPOSITION:

All of the allegations in this investigation are not supported. This investigation is closed.

RESTRICTED INFORMATION

Page 3

This report is the property of the Office of Investigations and is loaned to your agency; it and its contents may not be reproduced without written permission. The report is FOR OFFICIAL USE ONLY and its disclosure to unauthorized persons is prohibited. Public availability to be determined under 5 U.S.C. 552.